

**To:** Logan, Paul[Logan.Paul@epa.gov]; Sutin, Elyana[Sutin.Elyana@epa.gov]  
**From:** Matsumoto, Kimi  
**Sent:** Fri 3/4/2016 1:46:09 AM  
**Subject:** Fw: Pavillion summaries

fyi - re Pooja's discussions with OGC front office

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**From:** Matsumoto, Kimi  
**Sent:** Thursday, March 3, 2016 6:41 PM  
**To:** Denawa, Mai; Parikh, Pooja  
**Subject:** Re: Pavillion summaries

Privileged/Deliberative

Thanks Mai and Pooja -

Yes, the comment due date is March 18 as Mai noted. 'It sounds like the Region is planning to meet with the State shortly before our comments are submitted to give them an overview. We have, in the past, submitted our comments on the due date - I haven't heard any different plans for this one.

The Report will be finalized.

Ex. 5 - Attorney Work Product

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thanks, Kimi

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**From:** Denawa, Mai  
**Sent:** Thursday, March 3, 2016 4:29 PM  
**To:** Parikh, Pooja; Matsumoto, Kimi  
**Subject:** RE: Pavillion summaries

Pooja,

Thanks so much for the update. We're glad the summaries helped. The public comments period closes March 18. Kimi, do you have further insight for when EPA might provide them to the state? Maybe it will be earlier than the 18<sup>th</sup>?

The state is indeed going to issue a final report once the comment period closes on the 18<sup>th</sup>. We've been trying to estimate when that might be, but the state has not given any guarantees of when the timing of the release of a final report might be.

Thanks!

Mai

**From:** Parikh, Pooja  
**Sent:** Thursday, March 03, 2016 2:35 PM  
**To:** Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>  
**Cc:** Boydston, Michael <Boydston.Michael@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>  
**Subject:** RE: Pavillion summaries

Thanks for the summary; it was helpful to me in briefing our front office today. One question that came up in today's briefing: what is the timing on our providing comments to the state? And is there going to be a final report, after they consider the comments? (Since this report is called a "draft final," I am assuming there will be a final final.. ?)

**From:** Matsumoto, Kimi  
**Sent:** Monday, February 29, 2016 5:16 PM  
**To:** Parikh, Pooja <Parikh.Pooja@epa.gov>  
**Cc:** Boydston, Michael <Boydston.Michael@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>  
**Subject:** Pavillion summaries

Hi Pooja -

Thanks for the call today. As discussed, attached is a short summary of the Locker litigation

**Ex. 5 - Attorney Work Product**

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and a summary of the FOIA requests from the Lockers' attorney to EPA.

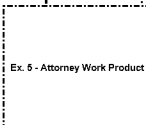
Thanks Mai and Mike!!

Kimi

**From:** Boydston, Michael  
**Sent:** Thursday, January 28, 2016 9:33 AM  
**To:** Matsumoto, Kimi <[Matsumoto.Kimi@epa.gov](mailto:Matsumoto.Kimi@epa.gov)>  
**Subject:** current Pavillion FOIA requests

Hi Kimi –

Here are the Pavillion FOIA requests from Galen Trine-McMahan. The first four are still outstanding in R8, though we've given interim responses including sending him the results of the 2013 media-requester searches and referring him to the FOIAonline posting of the Encana response.



## **Ex. 5 - Attorney Work Product**

EPA-R8-2015-006565 Submitted 04/27/2015. Seeks: (1) All public comments received by EPA re the Study. (2) All emails/letters between EPA and Encana in connection with the Study. (3) All correspondence between EPA and WY govt in connection with the Study. (4) Any docs expressing or acknowledging concerns about industry interference or pressure on the EPA in regards to the Study.

EPA-R8-2015-006575 Submitted 04/27/2015. Seeking Encana MSDS / chem. lists that were provided to EPA.

EPA-R8-2015-007556 Submitted 05/29/2015. Seeking all EPA requests to Encana for names/contents of chemicals; all Encana responses to those requests as submitted to EPA.

EPA-R8-2015-010161 Submitted 8/25/2015. Seeking A. WDEQ Phase 6 Short Term Investigation dated July 2012. B. any documents that discuss the WDEQ investigation. C. any documents that discuss any objections by anyone to conducting "the study contemplated in the

Phase 6 Short Term Investigation". D. any documents that discuss any rationale for not proceeding with the Phase 6 Short Term Investigation from anyone

EPA-R8-2016-001315 Submitted 11/12/2015. Sought "1) All correspondence from the EPA to representatives of Encana, prior to December 30, 2011, wherein the EPA discloses the details and methods of its groundwater monitoring wells in Pavillion, including details on the planned location, depth, materials, and/or sampling or testing methods. 2) Records (whether schedules, e-mails, meeting-notes, or memoranda) documenting meetings between the EPA and Encana representatives in regards to the 2009-2013 Pavillion groundwater investigation wherein the EPA's planned testing or data collection methods would be disclosed to Encana. 3) Any other documentation of the details of the EPA's plans for its two Pavillion monitoring wells, which were made available to the public or Encana prior to December 30, 2011. 4) Any correspondences to the EPA (whether mail, e-mail, or otherwise) from Encana, wherein Encana objected to any aspect of the EPA's methods prior to December 30, 2011, including any objections to EPA's methods of drilling and sampling from its monitoring wells." We closed it as duplicative of the Encana response, which he's been provided in FOIAonline.

And several in HQ:

EPA-HQ-2016-000169 Submitted 10/07/2015. "Please provide the complete work-schedule for ROBERT ("Bob") SUSSMAN, policy advisor to Lisa Jackson, from June 2011 to August 2013." [Assigned to Frederick No, OA]

EPA-HQ-2016-000466 Submitted 10/15/2015. Seeks "phone records, cell-phone records and text-messages between (1) Robert Sussman's phone, and (2) the third-party cell phone number 703-407-9789 from January 2009 through June 2014. • phone records, cell-phone records and text-messages between (1) E. Ramona Trovato and (2) the third-party cell-phone number 703-407-9789 from January 2009 through June 2014 regardless of subject matter • phone records, cell-phone records, and text-messages between Robert Sussman or Ramona Trovato and any other party, between January 2009 and June 2014, involving or concerning: o Pavillion, Wyoming; or o Phase 6 of the Pavillion, Wyoming groundwater investigation; or o The April 13th, 2012 Executive Order, titled "Supporting Safe and Responsible Development of Unconventional Domestic Natural Gas Resources"; or o Transfer of the EPA's pavillion groundwater investigation to the State of Wyoming; or o Matt Mead; or o Senator Inhofe; or o Encana; or o Mike Catanzaro; or o Heather Zichal." [Assigned to Frederick No, OA]

EPA-HQ-2016-001299 Submitted 11/12/2015. "Please produce the identity of E. Ramona Trovato's private e-mail account(s) used (in part or in whole) to conduct business at the EPA" [Closed — EPA continued to assert exemption 6 over the address itself]

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Michael Boydston

Associate Regional Counsel, EPA Region 8

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